

**West Mojave Plan
Task Group I
Green Tree Inn, Victorville
October 15, 2001**

Attendees

Task Group: Ileene Anderson, Marge Balfour, Ray Bransfield, Marie Brashear, David Charlton, Paul Condon, Michael Connor, Alisa Ellsworth, Clarence Everly, Jeri Ferguson, Ken Foster, Mark Hagan, Denis Kearns, Greg Knapp, Paul Kober, Manuel Joia, Becky Jones, Peter Kiriakos, Charles LaBar, Laurie Lile, Brian Ludicke, David A. Matthews, Tonya Moore, Steven Morgan, Jim McRea, Lorelei Oviatt, Doug Parham, Mickey Quillman, Danny Rakestraw, Bob Sackett, Randy Scott, Robert Strub, Barbara Veale, Andy Vliet, Maria Wertenberger and Terry Wold.

West Mojave Team: Bill Haigh, Larry LaPre, Ed LaRue, Valery Pilmer, Nanette Pradini

Introduction

Bill Haigh opened the meeting at 9:40 AM and introductions were made.

Lane Mountain Milkvetch - Field Survey Update

Marcia Wertenberger provided an update on the 2001 Lane Mountain Milkvetch surveys conducted by the Army near Ft. Irwin. She displayed a map and indicated that she will provide individual maps at the next meeting or by e-mail. The following points were made during the presentation:

- Prior to the surveys, only 2400 plants were known to exist.
- Purpose of surveys was to see if other populations exist. Other populations were found.
- Elevations and soil type helped to define the study area.
- Not clear on plant habitat requirements. Consultants are working on this now and will discuss this point in the final report. Know that the plant prefers granitic soils; 3-4000 ft elevation; mixed Mojave woody scrub and creosote bush with some Joshua trees.
- Walked approximately 400 transects. 1/2 of the transects had milkvetch
- Number of plants and range of plants increased. Estimated population is 40,000 to 23,000. Denis Kearns and SAIC (a consulting firm) are doing statistical analysis of data. Still working on estimate.
- Don't know what the population dynamic is for the species (i.e., what percentage of plants are up this year).
- Next step is to complete the draft report.

The following questions were asked:

- **Is the Army considering conservation areas for the plant?**
Unknown at this point. Marcia Wertenberger indicated that the plant density is highest just south of Goldstone, close to the Venus satellite dish and within the existing Fort Irwin boundary. The Army is unlikely to use this area for maneuvers. Maneuvers are more likely in flatter areas of the proposed expansion, not in the higher elevations where the plant is located. Have not yet discussed with Fish and Wildlife Service.
- **How many plants were actually located?**
Marcia replied that approximately 6,000 were located in addition to the 1200 known. Every plant found was entered in GPS. They did not include about 500 occurrences previously recorded that had not been GPSed.
- **Does the population extend as far as Bird Spring, Fremont Peak?**
Marcia indicated no. The range for the plant is much expanded as a result of the study. The population west of Copper City Road is completely new and was unexpected.
- **Is the boundary shown on the map the actual expansion boundary?**
Marcia indicated yes. The boundary represents the preferred boundary.
- **Can you show use areas overlain with the population areas?**
Marcia said that probably can be done. She will check with the Army.

West Mojave Plan - Conservation Strategy Review, Progress to Date, What's Next?

Bill Haigh provided an overview of the Recommended Conservation Area (blue blob) map and handout titled West Mojave Plan Conservation Strategy Overview. He indicated that the evolving conservation strategy of the plan consisted of these elements: (1) a designated Habitat Conservation Area (HCA); (2) conservation measures to be applied within the HCA; (3) habitat linkages; (4) a motorized vehicle access network; (5) a regional compensation fee structure; (6) streamlined procedures for complying with the endangered species acts; and (7) an adaptive management program to allow amendment of the plan in response to monitoring.

The following discussion took place:

- Mike Connor asked about the thinking on the linkages and connectors shown on the new map. Are they conservation areas? Larry LaPre replied that these are on the ground connections and are known movement corridors. Have not worked out how these fit into the conservation scheme. Mike Connor expressed concern that there needs to be more substance and teeth to these linkages, and reiterated previously expressed concern that the SEAs in Los Angeles County do not equate to conservation areas.
- Pete Kiriakos stated that the Sierra Club takes exception to no surprises. Mike Connor

added that some species will be proposed for listing if they are not covered by the plan.

- Doug Parham asked if routes will be proposed across private land. Bill Haigh responded that the vehicle access component of the plan will only apply to public lands. Doug also asked what restrictions there would be on private land within the DWMAs. Lorelei Oviatt clarified that activities not regulated by local jurisdictions and not proposed to be covered by the plan may be overseen by the California Department of Fish and Game and Fish and Wildlife Service. Those activities regulated by local government and not specifically exempted from fees by the plan would be required to mitigate at the 5:1 ratio, even single family residences. Doug further asked what would be required if someone wanted to open an OHV area on private land. Lorelei Oviatt and Randy Scott both responded that a Conditional Use Permit from the local jurisdiction would be required to approve such a use. Ed LaRue noted that areas adjacent to OHV Open Areas are impacted by trespass from the Open Area. The Plan is proposing signs and some fencing to help prevent this. Doug asked if it was possible to list the existing laws that would affect OHV use. **Bill Haigh indicated he will look into this.**
- Pete Kiriakos asked how the 1% cap on disturbance would be affected by non-discretionary disturbances.

Bill Haigh indicated that there are several general topics yet to be grappled with as follows:

- **Habitat credit component.** Subcommittee will meet today at lunch to discuss.
- **Compensation Subcommittee.** Subcommittee will make a presentation later.
-

Grazing.
Very controversial.

Awaiting outcome of grazing appeals.

- **Route designation.**
- **Mineral withdrawals.**
- **Implications of Ft. Irwin expansion.**

Bill asked if there were any questions or concerns about the general overall strategy. The following discussion took place:

Mike Connor asked how BLM lands outside the HCAs will be managed. Bill Haigh responded that they will be managed in accordance with the existing CDCA Plan.

Mike Connor asked whether the Plan will identify BLM lands available for exchange.

Larry LaPre responded that the plan will identify public lands in certain areas that should not be exchanged such as HCAs and linkages.

Pete Kiriakos asked that permanent BLM biological staff members be present for the meetings, as the West Mojave Team staff are temporary positions. He would like to ensure continuity in understanding of the Plan.

Bill Haigh asked the group members to send him a list of any remaining concerns.

Mike Connor asked for a concise statement of what the strategy is to recover the desert tortoise in the West Mojave. Bill responded that the strategy is to identify key habitat (the Tortoise DWMAs), implement a program to conserve and manage these lands for the purpose of recovering the tortoise, and not focus on recovery of the tortoise in the remaining areas.

Compensation Subcommittee

Laurie Lile gave the presentation on behalf of the subcommittee. The committee is recommending a 5:1 compensation ratio for the Habitat Conservation Area. The remaining area would be divided into areas of 1 : 1 and $\frac{1}{2}$: 1. The subcommittee has been working on criteria to help delineate the $\frac{1}{2}$: 1 areas. Generally these criteria provide guidelines for mapping disturbed and developed areas, including areas disturbed for agricultural use. Criteria include: a density of 25 structures per quarter section or greater, contiguity to existing development and the following of recognizable boundaries. Lile then discussed several maps which were prepared by applying the criteria. She noted that 1995 aeriels were used by Ed LaRue and Ric Williams to prepare the maps. The mapping will be provided to the local jurisdictions for review and updating to reflect more recent development.

The following discussion occurred:

It was noted that some areas may have experienced considerable development since 1995. Laurie Lile indicated that the local jurisdictions should be able to make corrections to reflect that.

Mike Connor asked for the acreage breakdown for the three different compensation ratios.

Ed LaRue responded that these are not yet available. Once the boundaries have been reviewed by the local jurisdictions and map corrections made, this information will be available.

Pete Kiriakos expressed concern that if the lines between compensation ratio areas are not finalized, or locked in by a certain date, that there will be an incentive for property owners to disturb habitat. Laurie Lile indicated that the final date would likely be when the jurisdictions enter into the plan. Pete suggested a 1:1 compensation for the entire area to discourage disturbing viable habitat in advance of plan adoption. Laurie expressed concern that it would be difficult to justify a 1:1 ratio for areas already severely degraded where no compensation would be required today. Any changes would likely be located on

the fringes of the 1/2:1 areas. Pete would like to see a resolution to this issue considered. Mike Connor asked and whether there is an overlap of compensation areas with no survey areas. Ed LaRue responded that the no survey area will be different than the compensation area boundaries. He indicated that the Compensation Subcommittee would be reviewing proposed maps for the survey/no survey areas. He is currently reviewing the 509 surveys that have been done on private land to assist in delineating the areas. Of these, 135 show tortoise presence and 374 indicated no tortoises.

Connor also asked whether directed fees for specific conservation areas had been considered. Laurie Lile replied that the subcommittee recommended that the fees not be directed; rather, the implementation team should have discretion to establish priorities for acquisition. She noted that fees will be a relatively small percentage of the funding for the plan.

Bob Strub asked how mining is being considered. Ed LaRue indicated that if 80 acres of a 1/4 section was disturbed, it was included as a disturbed area on the map. Compensation will be collected from mining activities if a discretionary approval is required. The ratio will be the same as for other development.

Mike Connor commented that if the compensation rate is based on the average cost of land, then it may encourage development on the more expensive land first. This may need to be considered when setting priorities for acquisition. He also wants to ensure that mitigation is occurring where species are most impacted by development. Others agreed that this is a legitimate issue in need of additional discussion. Bill Haigh suggested holding off until the strategies for the remaining species are brought forward.

Clarification was requested on how the fee would apply to existing mining operations.

Laurie Lile responded that the fee would only apply to newly disturbed areas subject to a permit.

Ileene Anderson asked whether the disturbed areas identified overlap any of the HCAs.

Ed LaRue responded that if there is any overlap, the area within the HCA would still require compensation at 5:1. He will compare the HCA boundaries to the 1/2:1 area boundaries to make sure this is not an issue.

The group broke for lunch at 11:55 AM and resumed the meeting at 1:20 PM.

Plants

Larry LaPre distributed and provided a brief overview of the Evaluation Report chapter on plants. The following points were made:

- Some of the plants have a very limited range (i.e., a few hundred acres).
- The Kern buckwheat is the rarest of the plants existing on less than 100 acres in the Middle Knob area.
- There are more unknowns concerning plants than there are with the tortoise.
- For the Alkali Mariposa Lily, the map shows a small unit of the HCA and an interim Conservation Area. The interim area reflects the flood plain where no studies have been done. The text calls for studies in this area with a later decision on whether to designate

as a permanent conservation area. The Compensation Subcommittee has expressed some concern about the interim area, and an expanded permanent conservation area may be considered as a result. Disjunct populations of this species are also present at Rabbit Springs in Lucerne Valley and at Paradise Springs, just south of Ft. Irwin. Conservation areas are proposed at these two locations as well. Acquisition of land in the core area around Edward AFB and the two identified outlying areas is proposed.

- What would happen in the conservation areas?
Larry responded that these areas would be fenced off. If private land, nothing would be done unless the owner is willing to sell. It is not yet certain who would hold title to these lands. Areas would be closed to sheep grazing.
- Do the soils in the area where Alkali Mariposa Lily exist generally preclude development?
Larry responded that the soils the plant prefers have a high clay content and are expansive. Development is marginal along the edges of the playa. Most of the plants exist on Edwards AFB. Edwards has done a very good job of preserving plants on the base.
- Mark Hagan commented that the biggest threat to the species is obstruction of the hydrology that drains into the playas. Larry LaPre added that the text recommends that no new sections of Big Rock Creek and Amaragosa Creek be channelized. He noted that most of Amaragosa Creek is already channelized. Water is still delivered to the area considered viable.
- More species may be added to the plan list. None will be deleted from the list unless requested by the stakeholders. Larry noted that the report handed out is a draft. There are a number of issues that still need to be worked out, and Larry invited the group to contact him with comments and questions.
- Mickey Quillman asked why plants that are not listed are being considered. Larry indicated that anything classified as 1b by the California Native Plant Society is being considered since they could become listed. Becky Jones suggested adding this information to the report so people would better understand why the plant was included.
- Mike Connor asked whether plants that are excluded (desert cymopterus) would be excluded from no surprises assurances. Larry responded they would not be covered by no surprises. If they are listed, they could be amended into the plan at a later date.
- Peter Kiriakos suggested that an index or table that makes it easier to go through the report would help. Larry indicated that he would like to do a risk assessment which outlines which species are the most threatened, etc.
- Randy Scott noted that we need a ledger of what we are covering and what not.

Bill Haigh indicated that he will post all species accounts on the web site. He indicated they should be up by the end of the week. The Lane Mountain Milkvetch account will not be posted until it is finalized.

Update on Subcommittees

- **Habitat Credit Component**

Subcommittee is defining success criteria for revegetation. Ileene Anderson indicated the group will be taking a closer look at some of the goals and that they still have work to do. The issue is more complicated in part because it depends on what species the revegetation is helping.

- **Regulatory Biologists Subcommittee**

Group is working on standard stipulations for use at the time of construction. Standardized terms and conditions will be sent out for review.

- **Education**

Ed LaRue indicated he had talked with Law Enforcement and others and came up with a resolution which was outlined in the memo regarding Education Program for WMCMP. Several Task Group members expressed concern that it is premature to determine who, what and how the education program will be accomplished. A Education Subcommittee was named to identify goals, the target audience, and general guidelines that would be forwarded to the implementation team. Subcommittee members included:

Marie Brashear
Donna Thomas
Doug Parham
Denis Kearns
Jeri Ferguson

- **MGS - Boundary and Biological Transition Area Subcommittees**

Ed LaRue summarized the minutes of the subcommittee meeting (see handout entitled West Mojave Plan Minutes for Mohave Ground Squirrel Boundary Lines Subcommittee). He indicated that in working with the various jurisdictions, boundary adjustments were proposed that would minimize the conflicts between private property ownership and the conservation area. He indicated that after all the possible exclusions from the conservation area have been considered, he will go back to the MGS Technical Advisory Committee to see if they agree that the HCA is sufficient to conserve the Mohave ground squirrel. The subcommittee recommended that the map be available for a 60 day period for the public to review the proposed lines, mark up the map and provide suggestions. Bill Haigh will prepare a news release announcing the availability of the maps and letting people know where they can be viewed.

- Jeri Ferguson asked about the open areas included within the MGS Conservation Area. She asked that discussion take place regarding the appropriateness of this. She noted that although staff has stated that the open areas would not be affected, there are management prescriptions that would greatly impact these areas. She also noted that during the development of the Tortoise DWMA's, the open areas were specifically excluded.
- Steve Morgan agreed with Jeri Ferguson and would like to see specific language exempting the open areas.
- Ed LaRue noted that if Spangler Hills OHV Open Area is removed, that the

Searles Valley portion of the HCA would be cut off from the remainder of the area.

- Mike Connor indicated the open areas should be shown on the map and that he is not convinced these areas will really help the future survival of MGS.
- Lorelei Oviatt stated that the open areas are not managed for conservation and should not be shown as part of a conservation area.
- Ray Bransfield and Becky Jones both concurred that the open areas should be removed from the conservation area.
- Marcia Wertenberger asked that the Ft. Irwin expansion area be shown on the map. She indicated that so much effort has gone into the expansion at this point, that an alternative needs to be developed to address it.

Bill Haigh indicated that the following open areas will be excluded from the MGS Conservation Area unless there is a biological reason to keep them in: Jawbone, Dove Springs, Olancho and Spangler Hills OHV Open Areas. The Fort Irwin expansion boundary will be shown as a carved out area on the map. Bill indicated that a revised Blue Blob map will show all of Larry's areas as well.

Ed LaRue noted that there are areas outside of the currently defined MGS Conservation Area that are publicly owned and can be identified as an area of possible expansion.

The MGS Biological Transition Area (BTA) boundaries were addressed next. A map showing the proposed location of BTAs was discussed. The mapped BTAs were one mile wide strips adjacent to selected portions of the MGS conservation area boundary. **There was general consensus that the concept of BTAs for the MGS should be adopted.** It was noted that BTA locations may need to be adjusted in areas where conservation area boundaries are modified.

In regards to the Los Angeles County zone maintenance area, concern was expressed that the Significant Ecological Areas (SEA) within Los Angeles County do not equate to conservation areas. It was noted that cities annexing Los Angeles County land would not be bound by Los Angeles County designations. Ray Bransfield indicated that the Fish and Wildlife Service would not be able to provide coverage unless conservation was assured. **Bill Haigh indicated that staff would look at an alternative approach for the proposed Los Angeles County zone maintenance area, including designating an HCA.**

Next Meeting Date

Tuesday, November 13, 2001 at 9:30 A.M. at the Green Tree Inn

Monday, December 10, 2001 at 9:30 A.M. at the Green Tree Inn

